

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:05CV220-H**

TIFFANY SALOMON,

Plaintiff,

v.

COUNTY OF LINCOLN, NC and

W. HAL KLUTZ,

Defendant.

ORDER

THIS MATTER is before the Court on Defendant W. Hal Klutz' Motion To Dismiss filed October 26, 2007 (document#19). For the reasons stated in Defendant's Motion and the attached "Declaration of Scott D. MacLatchie" and "Memorandum of Law," and counsel for the Plaintiff having yet again failed to respond to the subject motion, Defendant Klutz' Motion To Dismiss is hereby **GRANTED**.

The Court having previously dismissed the claims against the County of Lincoln, NC by Memorandum and Order dated September 2, 2005 (document #10), the Complaint is hereby **DISMISSED WITH PREJUDICE**.

The Clerk is directed to send copies of this Order to counsel for the parties.

SO ORDERED.

Signed: November 15, 2007

Carl Horn, III

Carl Horn, III
United States Magistrate Judge



